

EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
GMA ACCESSORIES, INC.,	:
	:
Plaintiff,	:
	:
v.	:
	:
EMINENT, INC., SAKS FIFTH AVENUE, INC.,	:
INTERMIX, INC., WINK NYC, INC.,	:
LISA KLINE, INC., GIRLSHOP, INC.,	:
SHOWROOM SEVEN STUDIOS, INC.,	:
JONATHAN SINGER, LEWIS TIERNEY and	:
JONATHAN SOLNICKI,	:
	:
Defendants,	:
	:
-----X	

07 CV 3219 (LTS)(MCF)

NOTICE OF 30(b)(6)
DEPOSITION

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Defendants Saks Fifth Avenue, Inc. ("Saks"), Intermix, Inc. ("Intermix"), Wink NYC, Inc. ("Wink"), Lisa Kline, Inc. ("Kline"), Lewis Tierney ("Tierney"), and Jonathan Singer ("Singer") (collectively, the "Retailer Defendants") will take the deposition upon oral examination of Plaintiff GMA Accessories, Inc. ("GMA"), by such officers, directors, managing agents, or other persons who consent to testify on its behalf, at the law offices of Dreier LLP, 499 Park Avenue, New York, NY 10022, commencing at 10:00 a.m., on February 27, 2008, and continuing from day to day until completed.

GMA is hereby requested to identify and produce witnesses who can testify on the following subjects:

- (1) the overall business structure of GMA;

(2) GMA's brochures, business plans, and marketing plans concerning the lines of products that bear the CHARLOTTE® and/or CHARLOTTE & FRIENDS® marks;

(3) GMA's CHARLOTTE® and/or CHARLOTTE & FRIENDS® product lines;

(4) GMA's actual use and continued use of the CHARLOTTE® and/or CHARLOTTE & FRIENDS® marks, including, but not limited to, the use of those marks on each of the following categories of goods and/or services: sacks and bags, namely, handbags made of textiles and beads; hair accessories, namely, hair clips, scrunchies, ribbons and braids; hats, scarves, gloves, socks, sunglasses, leather and imitation leather bags; all-purpose carrying bags; clutch bags; messenger bags; fur; shoulder bags; pet clothing; pet collar accessories, namely, bows and charms; backpacks; beach bags bath linen; bath sheets; bath towels; beach towels; bed blankets; bed linen; bed sheets; bed spreads; blanket throws; chenille fabric; children's blankets; children's towels; cloth coasters; cloth napkins for removing make-up; comforters; contoured mattress covers; cotton base mixed fabrics; cotton fabric; covered rubber yarn fabrics; crepe cloth; crib bumpers; crib canopies; curtain fabric; curtain loops of textile material; curtains; curtains made of textile fabrics; diaper changing mats; diaper changing pads not of paper; dining linens; dish cloths; draperies; dust ruffles; duvet covers; duvets; eiderdown covers; eiderdowns; fabric diaper stackers; fabric flags; fabric for boots and shoes; fabric of imitation animal skin; fabric table runners; fabric table toppers; fabric valances; fabric window coverings and treatments, namely curtains, draperies, sheers, swags and valances; face towels; feather beds; felt and non-woven textile fabrics; fiberglass fabrics for textile use; fireproof upholstery fabrics; fitted toilet lid covers; flannel; flax fabrics; frieze; gauze fabric; gift wrap of fabric; hand towels; hand-towels made of textile fabrics; hemp base mixed fabrics; hemp yarn fabrics; household linen; inorganic fiber mixed fabrics; jeans fabric; jersey fabrics for clothing; jersey material; jute

fabrics; kitchen linens; kitchen towels; knitted fabrics; knitted fabrics of chemical-fiber yarn; knitted fabrics of cotton yarn; knitted fabrics of wool yarn; labels of cloth; lap rugs; mixed fiber fabrics; narrow woven fabrics; net curtains; nylon fabric; oil cloths; pillow cases; pillow covers; pillow shams; pillowcases; place mats of textile material; polyester fabric; pot holders; puffs; quilts; ramie fabric; rayon fabric; receiving blankets. regenerated fiber yarn fabrics; rubberized cloths; sackcloth; sail cloth; semi-synthetic fiber fabrics; shams; shower curtains; silk-cotton mixed fabrics; synthetic fiber fabrics; table cloths not of paper; table linen; taffeta; tapestries of textile; terry towels; textile fabric of animal skins imitations; textile fabrics for home and commercial interiors; textile fabrics for lingerie; textile fabrics for the manufacture of clothing; textile labels; throws; ticking fabric; towel sets; towels; traced cloths for embroidery; tricot quilts; tulle; unfitted fabric furniture covers; upholstery fabrics; velvet; wash cloths; washcloths; washing gloves; washing mitts; window curtains; wool base mixed fabrics; wool yarn fabrics; woolen fabric; woolen blankets; worsted fabrics; woven fabrics; zephyr fabric; bags for securing valuables; bands for wrapping or binding; belts, not of metal, for handling loads; fabric and polyester mesh net used for storing toys and other household items; garment bags for storage; mesh bags for storage; multi-purpose cloth bags; packaging bags of textile material; rice straw bags (kamasu); shoe bags for storage; string bonnet pins of precious metal; bracelets ; bracelets of precious metal; brooches; buckles for watchstraps; charms ; chokers; costume jewelry; cuff-links; earrings; gemstones; gold and its alloys; hat pins of precious metal; iridium and its alloys; jewelry; jewelry for the head; jewelry pins for use on hats; lapel pins ; necklaces; ornamental pins; ornaments of precious metal; osmium and its alloys; pendants; picture frames of precious metal; platinum and its alloys; precious metal alloys; purses and wallets of precious metal; rhodium and its alloys; rings being jewelry; silver and its alloys; tiaras;

(5) GMA's date of first use of the CHARLOTTE® and CHARLOTTE & FRIENDS® marks, including, but not limited to, the date of first use for each of the categories of goods and/or services listed in subject (4);

(6) GMA's intention to use the CHARLOTTE® and/or CHARLOTTE & FRIENDS® marks, including, but not limited to, the intention to use of those marks on each of the following categories of goods and/or services: advertising and marketing; distributorships in the field of clothing, handbags, shoes, belts, jewelry, toys, cosmetics, fashion, accessories, rain gear, hats, boots, slippers, beach gear, bedding, bath accessories, sunglasses, playthings, dolls, lingerie, leather goods, home fashions, novelties, room decor, hosiery, blankets, throws, pillows, pet accessories, children's wear; fashion show exhibitions for commercial purposes; general business merchandising services, namely, marketing; issuing gift certificates which may then be redeemed for goods or services; mail order catalog services featuring clothing, handbags, shoes, belts, jewelry, toys, cosmetics, fashion, accessories, rain gear, hats, boots, slippers, beach gear, bedding, bath accessories, sunglasses, playthings, dolls, lingerie, leather goods, home fashions, novelties, room decor, hosiery, blankets, throws, pillows, pet accessories, children's wear; on-line retail store services featuring clothing, handbags, shoes, belts, jewelry, toys, cosmetics, fashion, accessories, rain gear, hats, boots, slippers, beach gear, bedding, bath accessories, sunglasses, playthings, dolls, lingerie, leather goods, home fashions, novelties, room decor, hosiery, blankets, throws, pillows, pet accessories, children's wear; product merchandising; retail clothing boutiques; retail clothing stores; retail department stores; retail gift shops; retail jewelry stores; retail clothing, handbags, shoes, belts, jewelry, toys, cosmetics, fashion, accessories, rain gear, hats, boots, slippers, beach gear, bedding, bath accessories, sunglasses, playthings, dolls, lingerie, leather goods, home fashions, novelties, room decor, hosiery, blankets, throws, pillows,

pet accessories, children's wear stores. wholesale distributorships featuring clothing, handbags, shoes, belts, jewelry, toys, cosmetics, fashion, accessories, rain gear, hats, boots, slippers, beach gear, bedding, bath accessories, sunglasses, playthings, dolls, lingerie, leather goods, home fashions, novelties, room decor, hosiery, blankets, throws, pillows, pet accessories, children's wear; wholesale stores featuring clothing, handbags, shoes, belts, jewelry, toys, cosmetics, fashion, accessories, rain gear, hats, boots, slippers, beach gear, bedding, bath accessories, sunglasses, playthings, dolls, lingerie, leather goods, home fashions, novelties, room decor, hosiery, blankets, throws, pillows, pet accessories, children's wear.

(7) GMA's knowledge of prior uses of marks including the word CHARLOTTE preceding GMA's trademark applications for the CHARLOTTE[®] and/or CHARLOTTE & FRIENDS[®] marks, including, but not limited to, the prior uses of marks including the word CHARLOTTE by Charlotte Russe, Charlotte Tarantola, and Charlotte Ford;

(8) GMA's conception, selection and/or adoption of the CHARLOTTE[®] and/or CHARLOTTE & FRIENDS[®] marks;

(9) GMA's enforcement of the CHARLOTTE[®] and/or CHARLOTTE & FRIENDS[®] marks, including, but not limited to, lawsuits instituted by GMA for trademark infringement of the CHARLOTTE[®] and/or CHARLOTTE & FRIENDS[®] marks;

(10) Any Trademark Applications filed by GMA in the United States Patent & Trademark Office for the CHARLOTTE[®] and/or CHARLOTTE & FRIENDS[®] marks, including, but not limited to, the underlying applications for U.S. Registration No. 2,535,454, issued February 5, 2002 in International Class 25, U.S. Registration No. 2,217,341, issued January 12, 1999 in International Class 18, U.S. Registration No. 2,216,405, issued on January 5, 1999 in International Class 26 and U.S. Registration No. 3,242,358, issued on May 15, 2007 in

International Class 22, U.S. Registration No. 2,561,025 in International Class 9, and application Serial Nos. 77012104, 77364972 and 77314487;

(11) GMA's dealings with retailers and/or manufacturers concerning the CHARLOTTE® and/or CHARLOTTE & FRIENDS® marks, including, but not limited to, GMA's dealings with Charlotte Russe, Charlotte Tarantola, and Charlotte Ford;

(12) All instances or incidents of actual or possible confusion, mistaken identity or relationship between goods sold by any Retailer Defendants herein and GMA;

(13) The channels of trade through which products bearing or using the CHARLOTTE® and/or CHARLOTTE & FRIENDS® marks travel from GMA to the ultimate consumers of the products;

(14) GMA's gross income derived from the sale of products bearing or using the CHARLOTTE® and/or CHARLOTTE & FRIENDS® marks from the time GMA began using the marks until the present;

(15) GMA's volume of sales of products bearing or using the CHARLOTTE® and/or CHARLOTTE & FRIENDS® marks from the time GMA began using the marks until the present;

(16) The geographic locations in which GMA offers for sale and sells, or has offered for sale and sold, its products bearing or using the CHARLOTTE® and/or CHARLOTTE & FRIENDS® marks;

(17) GMA's advertising and promotion of products under the CHARLOTTE® and/or CHARLOTTE & FRIENDS® marks;

(18) Any and all license agreements, distribution agreements, sponsorship agreements, or any other agreements concerning the CHARLOTTE® and/or CHARLOTTE & FRIENDS®


marks;

(19) GMA's advertising and promotional expenditures for products sold under the CHARLOTTE® and CHARLOTTE & FRIENDS® marks;

(20) The documents which GMA produced to Retailer Defendants in response to Retailer Defendants' discovery requests; and

(21) GMA's responses to Retailer Defendants' interrogatories.

Dated: New York, New York
February 1, 2008

DREIER LLP
By: 
Ira S. Sacks, Esq.
Robert J. Grand, Esq.
499 Park Avenue
New York, NY 10022
(212) 328-6100

Attorneys for Retailer Defendants

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SANEI CHARLOTTE RONSON LLC,

Plaintiff,

-against-

GMA ACCESSORIES, INC.,

Defendant.
-----X

Civil Action No.
07 CV 9578 (CM)

**NOTICE OF RULE
30(b)(6) DEPOSITION**

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Plaintiff Sanei Charlotte Ronson LLC ("Ronson") will take the deposition upon oral examination of Defendant GMA Accessories, Inc. ("GMA"), by such officers, directors, managing agents, or other persons who consent to testify on its behalf, at the law offices of Dreier LLP, 499 Park Avenue, New York, NY 10022, commencing at 10:00 a.m., on March 20, 2008, and continuing from day to day until completed.

GMA is hereby requested to identify and produce witnesses who can testify on the following subjects:

- (1) the overall business structure of GMA;
- (2) GMA's brochures, business plans, and marketing plans concerning the lines of products that bear the CHARLOTTE and/or CHARLOTTE & FRIENDS marks;
- (3) GMA's CHARLOTTE and/or CHARLOTTE & FRIENDS product lines;
- (4) GMA's actual use and continued use of the CHARLOTTE and/or CHARLOTTE & FRIENDS marks, including, but not limited to, the use of those marks on each of the following categories of goods and/or services: sacks and bags, namely, handbags made of textiles and

beads; hair accessories, namely, hair clips, scrunchies, ribbons and braids; hats, scarves, gloves, socks, sunglasses, leather and imitation leather bags; all-purpose carrying bags; clutch bags; messenger bags; fur; shoulder bags; pet clothing; pet collar accessories, namely, bows and charms; backpacks; beach bags bath linen; bath sheets; bath towels; beach towels; bed blankets; bed linen; bed sheets; bed spreads; blanket throws; chenille fabric; children's blankets; children's towels; cloth coasters; cloth napkins for removing make-up; comforters; contoured mattress covers; cotton base mixed fabrics; cotton fabric; covered rubber yarn fabrics; crepe cloth; crib bumpers; crib canopies; curtain fabric; curtain loops of textile material; curtains; curtains made of textile fabrics; diaper changing mats; diaper changing pads not of paper; dining linens; dish cloths; draperies; dust ruffles; duvet covers; duvets; eiderdown covers; eiderdowns; fabric diaper stackers; fabric flags; fabric for boots and shoes; fabric of imitation animal skin; fabric table runners; fabric table toppers; fabric valances; fabric window coverings and treatments, namely curtains, draperies, sheers, swags and valances; face towels; feather beds; felt and non-woven textile fabrics; fiberglass fabrics for textile use; fireproof upholstery fabrics; fitted toilet lid covers; flannel; flax fabrics; frieze; gauze fabric; gift wrap of fabric; hand towels; hand-towels made of textile fabrics; hemp base mixed fabrics; hemp yarn fabrics; household linen; inorganic fiber mixed fabrics; jeans fabric; jersey fabrics for clothing; jersey material; jute fabrics; kitchen linens; kitchen towels; knitted fabrics; knitted fabrics of chemical-fiber yarn; knitted fabrics of cotton yarn; knitted fabrics of wool yarn; labels of cloth; lap rugs; mixed fiber fabrics; narrow woven fabrics; net curtains; nylon fabric; oil cloths; pillow cases; pillow covers; pillow shams; pillowcases; place mats of textile material; polyester fabric; pot holders; puffs; quilts; ramie fabric; rayon fabric; receiving blankets. regenerated fiber yarn fabrics; rubberized cloths; sackcloth; sail cloth; semi-synthetic fiber fabrics; shams; shower curtains; silk-cotton mixed

fabrics; synthetic fiber fabrics; table cloths not of paper; table linen; taffeta; tapestries of textile; terry towels; textile fabric of animal skins imitations; textile fabrics for home and commercial interiors; textile fabrics for lingerie; textile fabrics for the manufacture of clothing; textile labels; throws; ticking fabric; towel sets; towels; traced cloths for embroidery; tricot quilts; tulle; unfitted fabric furniture covers; upholstery fabrics; velvet; wash cloths; washcloths; washing gloves; washing mitts; window curtains; wool base mixed fabrics; wool yarn fabrics; woolen fabric; woolen blankets; worsted fabrics; woven fabrics; zephyr fabric; bags for securing valuables; bands for wrapping or binding; belts, not of metal, for handling loads; fabric and polyester mesh net used for storing toys and other household items; garment bags for storage; mesh bags for storage; multi-purpose cloth bags; packaging bags of textile material; rice straw bags (kamasu); shoe bags for storage; string bonnet pins of precious metal; bracelets ; bracelets of precious metal; brooches; buckles for watchstraps; charms ; chokers; costume jewelry; cuff-links; earrings; gemstones; gold and its alloys; hat pins of precious metal; iridium and its alloys; jewelry; jewelry for the head; jewelry pins for use on hats; lapel pins ; necklaces; ornamental pins; ornaments of precious metal; osmium and its alloys; pendants; picture frames of precious metal; platinum and its alloys; precious metal alloys; purses and wallets of precious metal; rhodium and its alloys; rings being jewelry; silver and its alloys; tiaras;

(5) GMA's date of first use of the CHARLOTTE and CHARLOTTE & FRIENDS marks, including, but not limited to, the date of first use for each of the categories of goods and/or services listed in subject (4);

(6) GMA's intention to use the CHARLOTTE and/or CHARLOTTE & FRIENDS marks, including, but not limited to, the intention to use those marks on each of the following categories of goods and/or services: advertising and marketing; distributorships in the field of

clothing, handbags, shoes, belts, jewelry, toys, cosmetics, fashion, accessories, rain gear, hats, boots, slippers, beach gear, bedding, bath accessories, sunglasses, playthings, dolls, lingerie, leather goods, home fashions, novelties, room decor, hosiery, blankets, throws, pillows, pet accessories, children's wear; fashion show exhibitions for commercial purposes; general business merchandising services, namely, marketing; issuing gift certificates which may then be redeemed for goods or services; mail order catalog services featuring clothing, handbags, shoes, belts, jewelry, toys, cosmetics, fashion, accessories, rain gear, hats, boots, slippers, beach gear, bedding, bath accessories, sunglasses, playthings, dolls, lingerie, leather goods, home fashions, novelties, room decor, hosiery, blankets, throws, pillows, pet accessories, children's wear; on-line retail store services featuring clothing, handbags, shoes, belts, jewelry, toys, cosmetics, fashion, accessories, rain gear, hats, boots, slippers, beach gear, bedding, bath accessories, sunglasses, playthings, dolls, lingerie, leather goods, home fashions, novelties, room decor, hosiery, blankets, throws, pillows, pet accessories, children's wear; product merchandising; retail clothing boutiques; retail clothing stores; retail department stores; retail gift shops; retail jewelry stores; retail clothing, handbags, shoes, belts, jewelry, toys, cosmetics, fashion, accessories, rain gear, hats, boots, slippers, beach gear, bedding, bath accessories, sunglasses, playthings, dolls, lingerie, leather goods, home fashions, novelties, room decor, hosiery, blankets, throws, pillows, pet accessories, children's wear stores. wholesale distributorships featuring clothing, handbags, shoes, belts, jewelry, toys, cosmetics, fashion, accessories, rain gear, hats, boots, slippers, beach gear, bedding, bath accessories, sunglasses, playthings, dolls, lingerie, leather goods, home fashions, novelties, room decor, hosiery, blankets, throws, pillows, pet accessories, children's wear; wholesale stores featuring clothing, handbags, shoes, belts, jewelry, toys, cosmetics, fashion, accessories, rain gear, hats, boots, slippers, beach gear, bedding, bath accessories,

sunglasses, playthings, dolls, lingerie, leather goods, home fashions, novelties, room decor, hosiery, blankets, throws, pillows, pet accessories, children's wear.

(7) GMA's knowledge of prior uses of marks including the word CHARLOTTE preceding GMA's trademark applications for the CHARLOTTE and/or CHARLOTTE & FRIENDS marks, including, but not limited to, the prior uses of marks including the word CHARLOTTE by Charlotte Russe, Charlotte Tarantola and Charlotte Ford;

(8) GMA's conception, selection and/or adoption of the CHARLOTTE and/or CHARLOTTE & FRIENDS marks;

(9) GMA's enforcement of the CHARLOTTE and/or CHARLOTTE & FRIENDS[®] marks, including, but not limited to, lawsuits instituted by GMA for trademark infringement of the CHARLOTTE and/or CHARLOTTE & FRIENDS marks;

(10) Any Trademark Applications filed by GMA in the United States Patent & Trademark Office for the CHARLOTTE and/or CHARLOTTE & FRIENDS marks, including, but not limited to, the underlying applications for U.S. Registration No. 2,535,454, issued February 5, 2002 in International Class 25, U.S. Registration No. 2,217,341, issued January 12, 1999 in International Class 18, U.S. Registration No. 2,216,405, issued on January 5, 1999 in International Class 26 and U.S. Registration No. 3,242,358, issued on May 15, 2007 in International Class 22, U.S. Registration No. 2,561,025 in International Class 9, and application Serial Nos. 77/012,104, 77/364,972 and 77/314,487;

(11) GMA's dealings with its retailers and/or manufacturers concerning the CHARLOTTE and/or CHARLOTTE & FRIENDS marks;

(12) GMA's dealings with retailers and/or manufacturers concerning its enforcement of the CHARLOTTE and/or CHARLOTTE & FRIENDS marks, including, but not limited to, GMA's dealings with Charlotte Russe, Charlotte Tarantola and Charlotte Ford;

(13) All instances or incidents of actual or possible confusion, mistaken identity or relationship between goods sold by Ronson and GMA;

(14) The channels of trade through which products bearing or using the CHARLOTTE and/or CHARLOTTE & FRIENDS marks travel from GMA to the ultimate consumers of the products;

(15) GMA's gross income derived from the sale of products bearing or using the CHARLOTTE and/or CHARLOTTE & FRIENDS marks from the time GMA began using the marks until the present;

(16) GMA's volume of sales of products bearing or using the CHARLOTTE and/or CHARLOTTE & FRIENDS marks from the time GMA began using the marks until the present;

(17) The geographic locations in which GMA offers for sale and sells, or has offered for sale and sold, its products bearing or using the CHARLOTTE and/or CHARLOTTE & FRIENDS marks;

(18) GMA's advertising and promotion of products under the CHARLOTTE and/or CHARLOTTE & FRIENDS marks;

(19) Any and all license agreements, distribution agreements, sponsorship agreements, or any other agreements concerning the CHARLOTTE and/or CHARLOTTE & FRIENDS marks;

(20) GMA's advertising and promotional expenditures for products sold under the CHARLOTTE and CHARLOTTE & FRIENDS marks;

- (21) GMA's document retention policy;
- (22) The documents which GMA produced to Ronson in response to Ronson's discovery requests; and
- (23) GMA's responses to Ronson's interrogatories.

Dated: New York, New York
February 26, 2008

By: 

DREIER LLP

Ira S. Saks, Esq.
Mary L. Grieco, Esq.
Safia A. Anand, Esq.
499 Park Avenue
New York, NY 10022
(212) 328-6100

Attorneys for Plaintiff

EXHIBIT B

Jennifer Daddio

From: Ira S. Sacks
Sent: Thursday, April 17, 2008 11:41 AM
To: 'Charen Kim'
Cc: Ron Paltrowitz; John P. Bostany (john@bozlaw.com); Ronald I. Paltrowitz Esq. (ron.paltrowitz@Bozlaw.com)
Subject: RE: depositions
Importance: High

Charen,

As you may not know, we have made a motion to preclude concerning your refusal to confirm the Nir deposition. And it is absurd to suggest that I cancelled the deposition. Your office failed to respond to over a dozen emails on the subject.

As to Maloof and Altirs, your cancellation of those depositions is a violation of Judge Swain's March 31, 2008 order. If you do not immediately confirm that they will attend as noticed and agreed, we will seek serious sanctions.

BTW, I know none of this is your doing, but I am required to respond to you since you sent me the email.

My best,

Ira

Ira S. Sacks

DREIER LLP

499 Park Avenue

16th floor

New York, NY 10022

212 652 3730 (direct)

212 328 6100 (general)

212 328 6101 (fax)

isacks@dreierllp.com

www.dreierllp.com

PRIVILEGED AND CONFIDENTIAL

-----Original Message-----

From: Charen Kim [mailto:charen.kim@bozlaw.com]

Sent: Thursday, April 17, 2008 11:33 AM

To: Ira S. Sacks

Cc: Ron Paltrowitz

4/17/2008

Subject: depositions

Dear Mr. Sacks:

We received your request to adjourn tomorrow's deposition of SANEI. Please provide a new date.

Also we have released Maloof and Altirs from the deposition dates that were proposed and ask that you propose new dates for them after the newly named defendants have answered.

Very Truly,

Charen Kim, Paralegal
The Bostany Law Firm
40 Wall Street, 61st Floor
New York, NY 10005
(212) 530-4401

4/17/2008